

REMARKS

The Office Action of February 3, 2003, has been carefully considered.

It is noted that claims 8, 10, 18 and 20 are rejected under 35 USC 102(b) over Japanese reference 4-50297 to Yoshikawa.

Claims 11,12 and 15 are rejected under 35 USC 103(a) over Yoshikawa in view of the patent to Lane.

Claims 9, 12-17 and 19 are rejected under 35 USC 103(a) over Yoshikawa in view of the patent to Loiodice.

Claims 8, 10, 18 and 20 are rejected under 35 USC 103(a) over Yoshikawa in view of the patent to Hein.

Claims 11, 12 and 15 are rejected under 35 USC 103(a) over Yoshikawa in view of Hein, and further in view of Lane.

Claims 9, 12-17 and 19 are rejected under 35 USC 103(a) over Yoshikawa in view of Hein, and further in view of Loiodice.

In view of the Examiner's rejections of the claims applicant has amended independent claim 8 to recite a cable elevator having first parallel guides arranged in a first vertical plane and second parallel guides separate from the first parallel guides and arranged in a second vertical plane parallel to and spaced from the first vertical plane. The first and second guides are discontinuously connected in the vertical and horizontal directions of the guides.

In view of these considerations it is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references, and particularly to the Japanese reference to Yoshikawa, it can be seen that this reference discloses an elevator construction in which there are two guide rails 15 each with two flange parts 15c, 15d that form guides for the counterweight and the cage. The flange parts 15c, 15d of each guide rail are connected together in a continuous manner at the base of each flange for the entire longitudinal, vertical extension of the guide rails. Yoshikawa does not disclose first and second guides that are discontinuously connected in the vertical and horizontal directions of the guides, as in the presently claimed invention.

Furthermore, due to the construction of the present invention, the total weight of the drive, the counterweight and the cage is equally loaded onto four spaced-apart guides. The engine is positioned between the cage guides 3 and the counterweight guides 20. The weight of the counterweight and the cage is balanced on the left and right side of the drive position. It should be noted that the counterweight normally amounts to 50% of the sum of the empty cage weight plus the transportation load. This means that when the cage is empty more weight is loaded on the counterweight guides 20. However, most often the cage is half loaded. Then, an equal load is applied to the counterweight guides 20 and the cage guides 3. When the cage is fully loaded more weight is loaded on the cage guides 3. Because the four guides of the present invention are spaced apart and positioned in the corners of a square, no leverage effect occurs. In contrast, Yoshikawa does not show such a symmetrical loading. Due to the short distance between the flange part 15c for the cage and the flange part 15d for the counterweight Yoshikawa

needs an additional fixation of the engine mount to the shaft rear wall so that the entire apparatus does not tilt away from the wall.

In view of these considerations it is respectfully submitted that the rejection of claims 8, 10, 18 and 20 under 35 USC 102(b) over the above-discussed references is overcome and should be withdrawn.

The patent to Hein discloses a traction drive elevator. The Examiner combined the teachings of this reference with Yoshikawa in determining that claims 8, 10, 18 and 20 would be unpatentable over such a combination.

Applicant respectfully submits that since Hein deals with a traction drive elevator and Yoshikawa deals with a cable elevator, both references address different types of systems and it would thus not be obvious to take the teachings of Hein to modify the teachings of Yoshikawa. Yoshikawa specifically deals with a cable elevator and the problems associated with providing such an elevator in a private home and the arrangement of the machinery room. The construction provided by Yoshikawa is specifically designed with these problems in mind and there is nothing in the teachings of Yoshikawa nor Hein which would suggest to those skilled in the art that the construction of Yoshikawa could or should be modified as suggested by the Examiner. Applicant respectfully submits that there is nothing in the teachings of these references which would suggest modifying the teachings of Yoshikawa to arrive at the invention as recited in the claims presently on file.

In view of these considerations it is respectfully submitted that the rejection of claims 8, 10, 18 and 20 under 35 USC 103(a) over a combination of the above-discussed references is overcome and should be withdrawn.

As for the remaining references which were cited against various of the dependent claims in combination with the previously discussed references, these have also been considered. Since they do not come close to the currently claimed subject matter than the references discussed above it is believed that any detailed comments thereon at this time would be superfluous. Thus, it is respectfully submitted that the various rejections of the dependent claims under 35 USC 103(a) are also overcome and should be withdrawn.

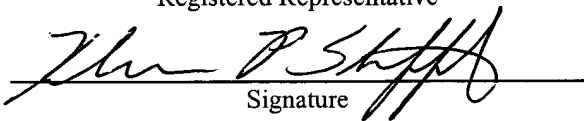
Reconsideration and allowance of the present application are respectfully requested.

In the event the actual fee is greater than the payment submitted or is inadvertently not enclosed or if any additional fee during the prosecution of this application is not paid, the Patent Office is authorized to charge the underpayment to Deposit Account No. 15-0700.

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on May 5, 2003

Klaus P. Stoffel

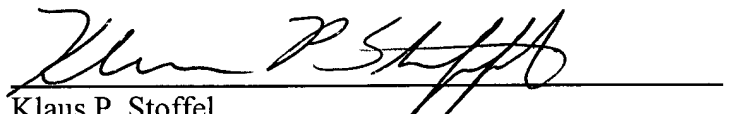
Name of applicant, assignee or
Registered Representative


Signature

May 5, 2003

Date of Signature

Respectfully submitted,


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